



**Department of Justice
Litigation Case Management System (LCMS)**

FINAL

Market Research Report

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EXECUTIVE SUMMARY

INTRODUCTION AND BACKGROUND

The Department of Justice (DOJ) leads the Case Management Common Solutions Program, under the guidance of the Office of Management and Budget (OMB) Lines of Business (LoB) Program, to develop business-driven, common solutions across agencies. LoB solutions address distinct business improvements to enhance the government's performance and services for citizens. The objective of all LoB efforts is to save taxpayer dollars, reduce administrative burden, and significantly improve service delivery to citizens. The DOJ Litigation Case Management System (LCMS) is the first specific investment to emerge from the Case Management Common Solutions Program.

During April and May 2005, the DOJ LCMS Program Management Office (PMO) conducted market research to gather background information on case management systems (CMS), processes, lessons learned, best practices, and challenges. This market research was not part of source selection, but it will feed the LCMS acquisition strategy, the solicitation package, and the requirements document. The LCMS market research was divided into three activities: Request for Information (RFI), one-on-one sessions with industry (CMS software providers and software integrators) and users (private sector and government), and an overview of Government-wide Acquisition Contracts (GWACs) and Multiple Agency Contracts (MACs) for potential use by the LCMS Program.

The RFI generated over 50 responses (more than 1,200 pages) from industry giants, CMS vendors, and small start-up companies. We conducted 15 one-on-one sessions with software vendors, system integrators, government users, and major law firms. There were over 20 hours of informative dialog during the one-on-one sessions. We surveyed over 77 GWAC and MAC contracts searching for existing vehicles that had sufficient ceiling, scope, and period of performance to support the LCMS project and that would provide robust competition.

This report is a roll-up and synopsis of all the information obtained during market research. **Recommendations contained in this report represent the collective feedback from the market research study and do not necessarily represent the positions or decisions of DOJ leadership.** After a brief program introduction, the report describes the market research accomplished, the state and future of the CMS marketplace, and a comparative analysis for decision making including:

- Considerations between the private vs. public sectors
- Make or buy?
- Contracting with an integrating contractor vs. software vendor?
- Using full and open vs. GSA Schedule vs. existing GWAC or MAC contract?
- Contracting on ITSS-3 vs. CIO-SP2 vs. Millennium Lite

The report discusses the acquisition approach, source selection, and overall lessons learned from the one-on-one sessions. It articulates the implications on the LCMS program and provides operable recommendations. Three appendices included in the report provide additional details on the RFI, One-on-One Sessions, and GWAC and MAC Contracts.



IMPLICATIONS FOR THE LCMS PROGRAM

In general, market research indicates that DOJ is doing all the right things to ensure a successful LCMS program, including a strong Program Management Team, fully engaged executive leadership and a Task Force that includes representation from each of the user communities. In addition:

- DOJ should acquire a turnkey LMCS implementation through an integrating contractor using a performance-base task order on the CIO-SP2 contract. Source selection should be a combination written material, past performance reference checks, contractor-run demonstrations, and optional government-run fly-offs. A performance-based acquisition strategy that describes what is needed vs. how to build it would allow DOJ to select the best value solution regardless of the three classes of case management solutions described in Section 2.1.1 (i.e., case-centric, relationship-centric, or customized solution).
- Implementation should start with a pilot located at a nearby field activity. Implementation of the LMCS capability should grow outward from the pilot using a phased approach and spiral development techniques.
- DOJ recognizes that as long as there is a core common data model, a key objective should be to customize user interfaces for each component's unique needs, while satisfying the Department goals of the program. The approach should be to standard where appropriate, but also enable Component uniqueness.
- DOJ recognizes that the government has unique security/privacy requirements that may not come out of the box with COTS case management offerings.
- DOJ should acquire the services of an experienced IV&V contractor early in the project to help define and manage requirements and ensure the LCMS will operate as intended in the target environment. In addition, the contractor should be experienced in conducting ST&E that will lead to a successful C&A for LCMS.

1.0 INTRODUCTION AND BACKGROUND

1.1 INTRODUCTION

Under the guidance of the OMB's Lines of Business (LoB) Program to develop business-driven, common solutions across agencies, DOJ leads the Case Management Common Solutions Program. LoB solutions address distinct business improvements to enhance the government's performance and services for citizens. The objective of all LoB efforts is to save taxpayer dollars, reduce administrative burden, and significantly improve service delivery to citizens.

The Case Management Common Solutions Program Vision is as follows: Using common solutions and data standards, case management information is easily and appropriately shared within and across federal and other government agencies, and with citizens. Through the Case Management Common Solutions Program, DOJ seeks to develop and implement an enterprise architecture for sharing case-related information within and between DOJ components, partner agencies, and the public. The architecture will effectively capture information once, and make it



available to all authorized users. LCMS is the first specific investment to emerge from the Case Management Common Solutions Program.

Litigation case management systems serve three levels of business needs:

- At the legal professional level, case management systems allow legal professionals to track and manage information about, and in support of individual cases.
- At the supervisory level, case management systems allow supervisors to track and report performance, and balance case workload across their organization.
- At the executive level, case management systems provide organizational performance data to support executive level decision-making, including recognizing trends and allocating resources in support of mission and strategic goals.

The initial set of LCMS functionality falls primarily within the supervisory and executive levels of the three levels of case management needs described above. Litigation support tools, used by attorneys to organize and manage individual cases, as well as new document and records management functionality, are not part of the initial scope. Phase 1 of LCMS is expected to include general functional capabilities such as case information management and reporting, caseload and performance reporting, and attorney time reporting.

The LCMS program will use a phased, incremental approach to transition over time to the target architecture consisting of a suite of configurable and extensible IT solutions built upon a common foundation. LCMS will be required to provide an interface or integration with certain current applications and databases for other functionality. Examples of such functions are: debt collection, records, and document management, electronic case filing, and other capabilities to be determined.

The primary customers for this investment are the seven DOJ litigating component organizations: the Executive Office for US Attorneys (representing the 94 US Attorneys' Offices), the Antitrust Division, the Criminal Division, the Civil Division, the Civil Rights Division, the Environment and Natural Resources Division, and the Tax Division.

1.2 MARKET RESEARCH BACKGROUND

During April and May 2005, DOJ LMCS PMO conducted market research to gather background information on case management systems (CMS), processes, lessons learned, best practices, and challenges. This market research was not part of source selection, but it will feed the LCMS acquisition strategy, the solicitation package, and the requirements document. The LCMS market research was divided into the following three activities, as shown in Figure 1:

- Request for Information (RFI).
- One-on-One sessions with CMS software providers and software integrators (contractors) and users (private sector and government).
- Overview of Government-wide Acquisition Contracts (GWACs) and Multiple Agency Contracts (MACs) for potential use by the LCMS Program.

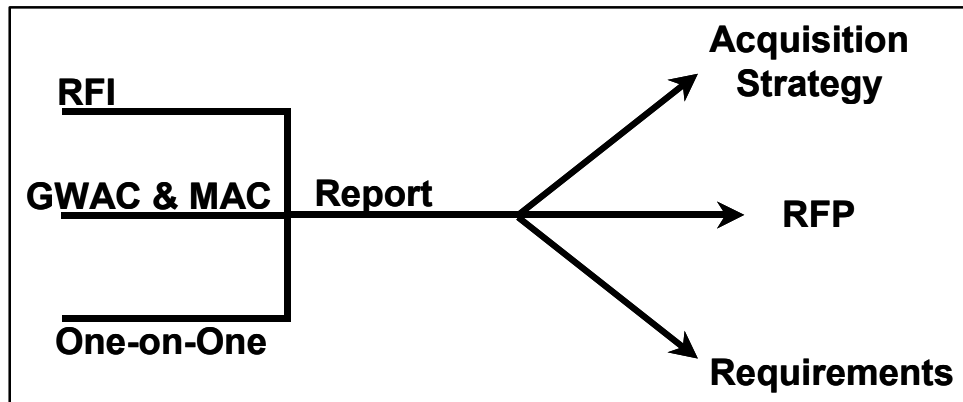


Figure 1 LCMS Market Research Process

1.2.1 Request For Information (RFI)

A Sources Sought RFI was released through Federal Business Opportunities (FedBizOpps) on April 1, 2005. The RFI provided background information and posed a series of 26 questions in three categories for the respondents to answer. A copy of the RFI is provided in Appendix A.1. RFI responses were made available to all LCMS Task Force members on Core.gov for information, review, and comment. A total of 55 vendors responded to the RFI. The respondents generated over 1,200 pages of information. The market research team divided up the 26 questions and distilled this information into a manageable set of Trends and “Golden Nuggets” that are summarized in this report.

1.2.2 One-on-one Sessions

The one-on-one sessions were divided into 4 groups as shown in Figure 2: CMS Vendors, Integrating Contractors, Law Firms, and Government Agencies. The LCMS Program Management Office (PMO) conducted preliminary research to develop a list of candidates for one-on-one sessions. Organizations were picked for one-on-one sessions based on similarity (size and scope) to DOJ and the LCMS program, knowledge of the case management marketplace, and recognized leaders in the field, specifically:

- CMS vendors – A mixture of litigation-specific and Customer Relationship Management (CRM) vendors was picked.
- Integrators – A mixture of prime contractors on ITSS-3 and contractors with significant DOJ understanding.
- Law Firms – Picked for size of the firm (scalability focus).
- Government – Large-scale implementations and/or similarity to DOJ.



Figure 2 LCMS One-On-One Sessions

the one-on-one sessions is included in Appendix B.1.

CMS Vendors and Integrating Contractors were considered “providers.” The selected CMS Vendors and Integrating Contractors were invited to DOJ to present their answers to a set of questions that were provided in advance. Time allotment was 90 minutes per company, with a 30-minute time cushion between meetings for DOJ wrap-up and internal discussion. All LCMS Task Force components were represented.

Law Firms and Government Agencies were considered “users.” The LCMS market research team visited their offices. The questions were provided in advance. Time per visit was limited to 60 – 90 minutes. In some cases, the LCMS phone bridge was used for out of town organizations.

A total of 15 one-on-one sessions totaling over 20 hours of discussion were conducted with the organizations listed in Figure 2. A set of questions used to guide

1.2.3 GWAC and MAC Survey

A survey of 77 GWAC and MAC contracts was conducted to learn about existing contracts that could be used for the LMCS Program. Using existing contracts is recognized as a government “best practice” in the Federal Acquisition

Regulations (FAR) and the *Seven Steps to Performance-based Acquisition* initiative, prepared by a cross-government team. Most of these 77 contracts were eliminated from consideration because of scope (e.g., hardware procurement, software licenses, etc.) or because of near-term expiration dates. This resulted in a list of 13 large GWAC and MAC contracts (including DOJ’s ITSS-3) with potential. The list of 13 was further reduced to three contracts using the following factors: Expiration date, number and mix of prime contractors (large and small), ceiling, and processing fees. These are DOJ’s ITSS-3, the National Institutes of Health (NIH) CIO-SP2, and GSA’s Millennia Lite. A summarized list of the GWACs and MACs surveyed is included in Appendix C.

Query “the Government-wide database of contracts and other procurement instruments intended for use by multiple agencies available at www.conractdirectory.gov and other Government and commercial databases that provide information relevant to agency acquisitions.”

FAR Part 10



1.2.4 Summary

The results, findings, and conclusions of this market research are synthesized in subsequent sections of this report. In addition, the implications on the LCMS Program including PMO implications, requirements implications, and acquisition strategy implications are included.

2.0 RESULTS, FINDINGS AND CONCLUSIONS

This chapter summarizes all market research activity conducted in support of the LCMS program. The first three sections provide background information and analyses of the CMS marketplace, lessons learned from organizations that have implemented CMS systems, and considerations that contrast and compare the needs of the private and public sectors. The subsequent sections provide analyses and rationale to support the report conclusions, recommendations, and decisions needed to continue with the program. These include decisions on make or buy, vendor or integrator contractor, contract vehicle, acquisition approach, and getting down to the final selection for contract(s) award(s).

2.1 ANALYSIS OF CASE MANAGEMENT SOFTWARE (CMS) MARKETPLACE

Our analysis included the current state of the CMS marketplace and trends for the future. Based on input from the 55 RFI respondents, the 15 one-on-one sessions, and the Gartner CRM Service Magic Quadrant, we assembled the consensus top companies in each of four CMS industry groups as shown in Tables 1 through 4: Case-centric tools, relationship-centric tools, CMS-related tools and system integrators.

2.1.1 The Current CMS Market

There are sufficient numbers of case management tools to support a competitive acquisition. In general, these tools can be divided into three distinct classes of COTS solutions relevant for LCMS requirements:

Case-centric tools (Practice Manager, Law Manager) designed for litigation case management. These tools can provide a larger percentage of the LCMS functionality out-of-the box, but in general, have not been implemented on a scale comparable to DOJ (implementations in the 100's of users). This class of tools appears to be technologically behind more generic tools. For example, several vendors claim web-based product, but few actually are pure web applications (i.e., zero client footprint). The top 10 case-centric tools are listed in Table 1 in descending order based on market research input.

Relationship-centric tools (SAP, Siebel, etc.) originally designed to support Customer Relationship Management (CRM) requirements. These tools generally do not come out-of-the-box with a litigation case management focus, but have been implemented on very large scale (tens of thousands). The top relationship-centric tools are shown in Table 2 also in descending order.



Table 1: Top 10 Case-centric Tools		
	Company	Product
1	Thomson	LawManager
2	Mitrastech	TeamConnect
3	RealLegal	Practice Manager
4	Corprasoft	Legal Desktop
5	Bridgeway	Ecounsel, LawQuest
6	AbacusLaw	AbacusLaw
7	LegalEdge	LegalEdge
8	Hummingbird	LegalKey
9	Thomson	ProLaw
10	Legal Files Software	Legal File

Table 2: Top Relationship-centric Tools	
	Company
1	Siebel
2	Oracle
3	SAP
4	PeopleSoft

Customized solutions have been developed by some organizations using COTS workflow tools (e.g., MetaStorm) as a foundation around which user-specific interfaces and data models were built.

There are a number of tools used in conjunction with case management tools for content management, document management and time management. These tools are listed in Table 3, in descending order.

CMS software vendors generally partner with integrators on larger projects. The top 10 integrators based on RFI responses are listed in Table 4 with the Gartner CRM Service Magic Quadrant companies listed first.

Table 3: Top Case-related Tools		
	Company	Product
1	EMC	Documentum
2	Interwoven	IManage
3	MetaStorm	e-Work
4	Ringtail	CaseBook
5	Iconnect	
6	LexisNexis	TimeMatters
7	Infoware	InControl
8	FileNet	Enterprise Content Management
9	BMC Remedy	Remedy

Table 4: Top 10 Integrators	
	Company
1	IBM*
2	CSC*
3	Accenture*
4	BearingPoint*
5	Deloitte*
6	Unisys
7	Northrop Grumman
8	Lockheed Martin
9	SAIC
10	EDS
* Gartner CRM Services Magic Quadrant	

In the commercial law firms, case management systems tend to be used for tracking labor hours and events for billing. See Section 2.2 for further discussion of private and public sector use of case management tools.

There doesn't appear to be a single tool for all LCMS requirements (case tracking, document management, attorney desktop support, executive reporting, etc.), a set of integrated applications may be needed.



2.1.2 Trends in the CMS Market

There were several trends identified but the most common was the idea of a CMS becoming more integrated with records, document, and content management. Closely related to that was the idea that the CMS application would become the platform or data repository for all information from all related applications.

Another frequented idea was that everything would be web based allowing for a small desktop footprint, easier management of the system, remote access to data, and one-time entry of data that then automatically populates predefined forms. Also part of that is that all documents would become digital files allowing for easier access and more thorough search capabilities.

The other major idea was that with DOJ having the lead on the Case Management Line of Business that a series of data exchange standards such as Global Justice XML Data Model (GJXDM), standard data definitions, and standard architecture would lead to the greater flow of information between agencies. Additional information is contained in Appendix A.3.

Conclusion: There are ample sources of litigation-related, relationship-related, and customized solutions and large integrating contractors to support a competitive LCMS acquisition.

2.2 PRIVATE VERSUS PUBLIC CONSIDERATIONS

Critics often say that the government should act more like the private sector. Our market research uncovered several considerations why requirements from private sector law firms are different from government needs. These considerations are outlined and summarized in Table 5.

Table 5: Private vs. Public Considerations		
Factor	Private Sector	Government
Primary Usage	Time and billing	Management of case workload and Oversight reporting
Motivation	Profitability	Equal justice for all
Case Selection	Pick and choose based on profitability	Must take all cases
Payment Method	Paid by the case – adjust resources to meet workload	Fixed resources (funding and people) – adjust priorities to meet workload
Return on Investment	Based on number of attorney hours expended compared to financial return from the case	Cost to replace old legacy systems compared with cost to maintain
Requirements Volatility	Fairly stable	Dynamic as political leadership and agendas change

Conclusions: The private sector has different drivers than the government and uses case management systems for different reasons. Care should be exercised in comparing the two.

2.3 MAKE OR BUY

During the six one-on-one sessions with government agencies, we discussed implementation method and schedule considerations. Three organizations implemented LawManager, a



litigation-specific tool. Two organizations built customized case management systems; one used MetaStorm, a COTS workflow tool, as a foundation, and the other used Oracle's Designer framework. One organization used an integrating contractor and tailored CRM software (Siebel).

- One federal government organization with 240 users implementation took 3 ½ to 4 years to complete implementation. The lack of clearly defined requirements and lack of technical personnel to make technical decisions contributed to the implementation timeline. In addition, they purchased the hardware upgrades separately from the software. By the time the software was ready to deploy, the computers could no longer support it without additional software changes.
- The implementation at another government organization with 175 + users has also taken 3 ½ years and is still being fielded. There are several reasons that the implementation has taken much longer than anticipated:
 - o The out-of-the-box product needed more customizing than initially realized.
 - o They lacked technical expertise until they hired a database administrator.
 - o About 100,000 records of old data had to be converted.
 - o Contractor personnel turnover, specifically the project manager, and lack of adequate documentation required start-up activities to be repeated.
 - o They decided to integrate (interface) iManage for document management.
 - o The process was more complicated than expected.
- At another agency with 836 users, the case management project started seven years ago and is just now being fielded. Four years were spent getting approvals and funding. They developed SDLC documentation and decision packages three times before proceeding with the actual implementation. Executive leadership backing is mandatory for a program to be successful. It has taken three years for development and 6 months to deploy.
- One federal agency we surveyed was the first to integrate investigation and litigation case management requirements. Their investigative staff consists of about 390 people and their litigation staff has 40 people. The contract was awarded in March 2004 and final implementation was achieved in December 2004 (9 months). They attributed this rapid implementation to a very highly skilled and integrated on-site team of programmers from both the contractor and the government. They developed a .Net solution, using Oracle DB and MetaStorm's eWork product as a workflow foundation.
- Another organization with 2400 users also custom built a CMS using Oracle's Designer framework. It took 1 to 1 ½ years to design and build and another couple years to complete fielding. They have a steady-state in-house staff of 3 FTEs to maintain the system. They can add an additional 5 personnel for enhancements, 10 more personnel through matrix management for larger updates, and 5 more personnel for the largest enhancements. They release a "maintenance" update every 6 months and a major enhancement about every 5 years. They own the code and they have no large integrator. They continuously survey the CMS marketplace, and have concluded that COTS tools are better suited for private law firms than large government organizations.
- A federal agency with 500 users used the GSA FEDSIM organization to award a performance-based contract with SRA to implement a Siebel-based solution. They



first conducted Business Process Reengineering (BPR) that identified process, organization, facility, and IT changes. They processed 600,000 original claims and 15,000 transfer actions each year using a 40-year old, very repetitive process consisting of 44 discrete steps. The project was originally scheduled for about 2 years but was extended to 4 years to allow time to complete the BPR-recommended facility (physical plant) changes.

- One law firm we visited places priority on “good vice quick.” As a profit-oriented company, they were willing to sacrifice time to make sure the product could generate a positive return on investment before fielding (see Section 2.2, Private vs. Public sectors). They estimate it should take about 10 years to completely field a product. Another law firm uses the Hummingbird document management system to support 69 offices in 38 countries. It took five years to implement.

Conclusions: DOJ should outsource a turnkey implementation of the LCMS. DOJ does not have the in house resources or the expertise to build a customized solution, especially considering the extremely large user base. Also, COTS CMS tools have out-of-the-box functionality and proven performance in large-scale implementations. A customized approach would have to re-learn the lessons gained from experienced COTS vendors and systems integrators.

2.4 CSM VENDOR OR SYSTEM INTEGRATOR

Given that the decision has been made to outsource implementation the LMCS program, this section provides discussion and rationale for deciding whether to contract with a third party systems integrator or directly with the CMS vendor. Figure 3 illustrates how this decision will impact other decisions downstream.

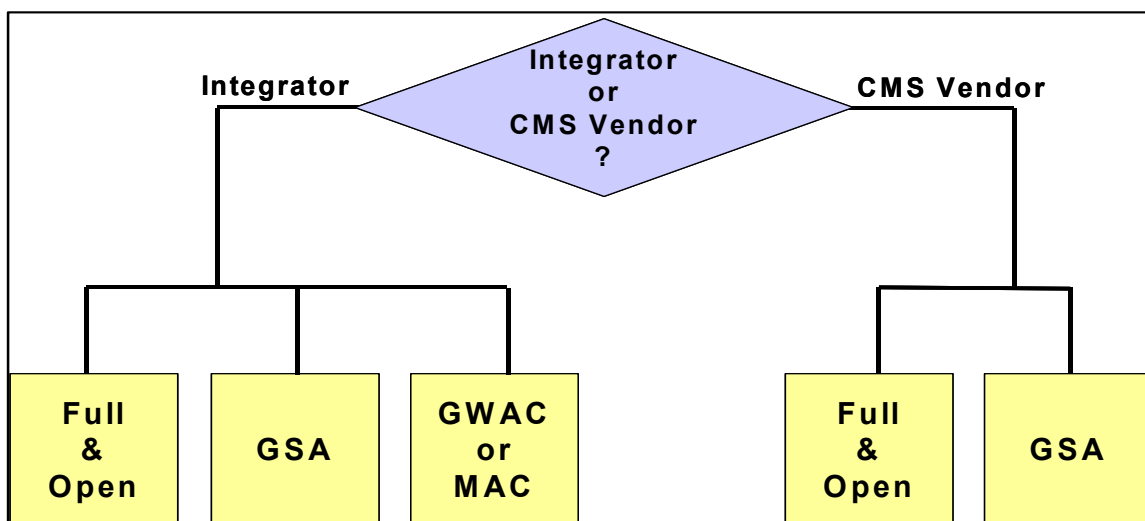


Figure 3 Acquisition Decision Tree

During one-on-one sessions two government organizations reported difficulty using integrators. However, the dominant response from RFI respondents (including software vendors) was to use



an integrator for the large scale DOJ LCMS program. Contracting directly with the software vendor was successful in two instances because the sizes of the projects were relatively small (less than 250 users). The RFI respondents had the following comments:

- Advantages of contracting directly with a CMS Vendor
 - Product knowledge
 - Direct access to the vendor
 - Influence on functionality changes
- Disadvantages of contracting directly with a CMS vendor
 - Lack of experience in large-scale implementations
 - Lack of broad DOJ knowledge and experience
 - Focused on selling more product licenses than integrating solutions
- Advantages of contracting through an integrator
 - Objective about CMS products and not tied to one
 - Focused on customer satisfaction (holistic solution)
 - Global reach (ability to work anywhere in the world)
- Disadvantage of contracting through an integrator
 - Added costs may not be added value
 - No privity of contract with CMS vendor (diminished influence)
 - Risk of a good CMS product vendor teamed with a bad integrator

Conclusion: A large systems integrating contractor will be needed to manage scale and global reach of the LCMS program.

2.5 FULL AND OPEN, GSA SCHEDULES OR GWAC/MAC CONTRACT

Given that decisions have been made to outsource implementation of the LCMS system to a systems integrator, this section discusses the contract vehicles available to execute the strategy. As shown in Figure 3, there are three sets of contract vehicles available: Full and Open, GSA Schedules, and an existing GWAC or MAC contract. The pros and cons are discussed below.

2.5.1 Full and Open

Pros: A Full and Open strategy will provide the maximum competition. Nobody will be left out. DOJ will probably get the best price using Full and Open procedures because of wide-open competition. Unlike an existing contract, the competitors would be unknown to potential offerors and this will drive down price.

Cons: There would be considerable schedule impact getting to contract award. According to an acquisition model recently developed for another government agency, the lead time for a Full and Open contract could be 8 to 15 months, with unconstrained contracting, technical, and legal resources – longer if resources are constrained. Figure 4 shows the actual elapsed time from RFP release to award for 11 contracts (Contract F is DOJ's ITSS-3). It also shows the average elapsed time. It compares max/min elapsed times from the acquisition model. To validate the model, the model's max/min times are plotted for unconstrained and constrained (100% leveled) resources.



In a Full and Open acquisition, there would be a large number of proposals to review. For example, 55 companies responded to the RFI with a total of 1,200 pages. The ITSS-3 solicitation generated 46 proposals. Contract J in Figure 4 had 400 offerors.

A Full and Open competition could create a teaming chaos. As our market research revealed, there is a finite number of case management vendors and they will court with multiple primes to get the best deal. It is also possible that the teams could change after initial downselect.

Full and Open competition would delay due diligence and DOJ/industry dialog. This would result in either (1) inadequate proposals from less-informed companies that don't meet DOJ needs, or (2) a longer proposal time to allow due diligence.

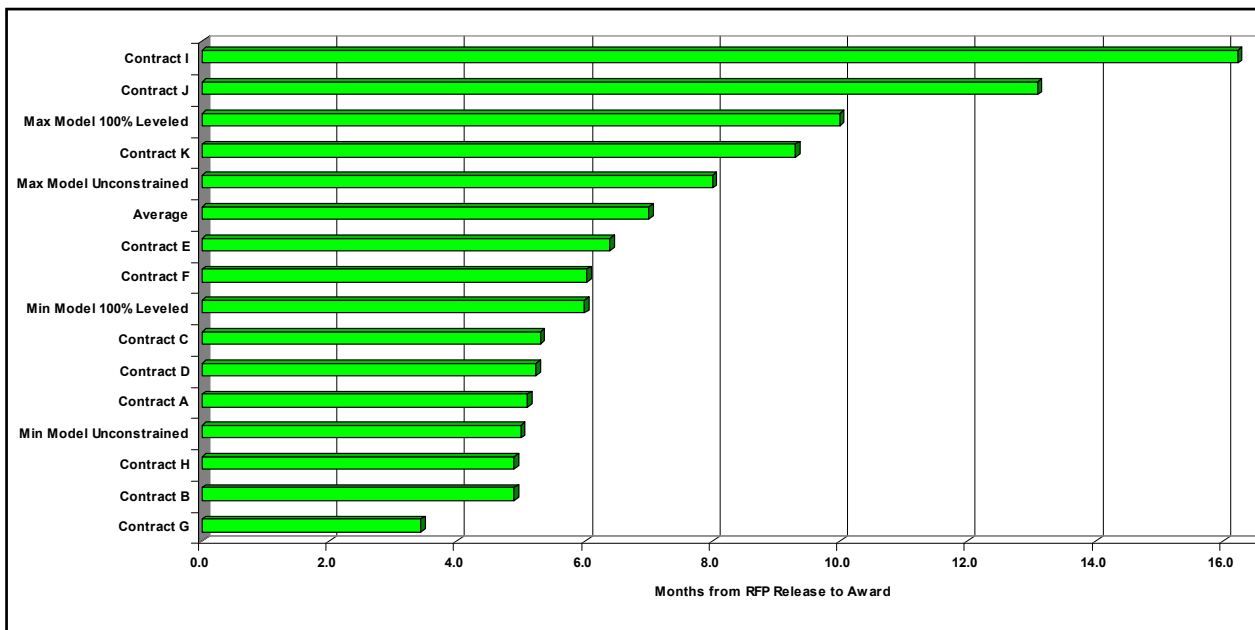


Figure 4 Full and Open Time Lines from RFP Release to Contract Award

Full and Open acquisitions can be protested in accordance with FAR Subpart 33.1. In a recent federal procurement there were 10 protests in the initial phase and 3 in the final selection phase. This was Contract J in Figure 4, with an elapsed time of 13 months after RFP release, mainly due to protests.

2.5.2 GSA Schedules

Pros: GSA Schedules are easy to use. Essentially, users of GSA Schedule build their own multiple award contracts by selecting the companies to be issued Requests for Quotes (RFQ). At least three companies must be selected.



GSA Schedules have a provision known as “Evergreen” that allows the contract to stay active for a very long time. In practice, this is executed by a 5-year contract base period with a series of three 5-year options.

Although the foundational GSA contract can last a very long time, IT procurements cannot be longer than 7 – 8 years. If the procurement is determined to be service related (not likely), it cannot be longer than 5 years.

Cons: The first problem with GSA Schedules is how do you pick the companies to issue the RFQ? Improper selection has ripple implications as described below.

Any company that doesn’t receive an RFQ can petition to be added to the list, and the government must add them. This can cause delays in the procurement and some teaming chaos similar to the Full and Open scenario.

A GSA Schedule procurement would delay due diligence and open DOJ/industry dialog because the government would not know who all the offerors are until after RFQ release. This would result in either (1) inadequate proposals from less-informed companies that don’t meet DOJ needs, or (2) a longer proposal time to allow due diligence.

A GSA Schedule award can be protested in accordance with FAR 33.1.

2.5.3 GWACs and MACs

Pros: GWACs and MACs will allow for the earliest DOJ/industry dialog because the competing companies will be known. This will translate into better proposals, in less time, and a better contract in the end.

Using existing contracts is a recognized government best practice and encouraged by FAR Part 10.

Adequate competition among leading systems integrators can be achieved. Contract award under GWAC and MAC contracts cannot be protested except under highly unusual as stated in FAR 16.505(a)(9).

Cons: Not all companies on GWAC or MAC contracts will be pre-qualified for DOJ work. ITSS-3 is an exception because its prime contractors all had to have experience in the DOJ SDLC, case management systems, and litigation systems.

Some “name brand” companies may not primes. This would automatically exclude certain companies from being prime contractors.

Near-term contract expiration dates and limited contract ceilings may limit the available vehicles from which to choose. Contract expiration dates mark the end of the ordering period. The period of performance for task orders can typically be extended 6 months to



one year beyond the contract expiration date. After then, a new contract or task order would have to be competed.

2.5.4 Side By Side Comparison

We have discussed the pros and cons of various contracting scenarios, now let's look at risk. Figure 5 scores 7 risk areas for each contract scenario. Each risk area is defined and discussed after the Table.

RISKS	OPEN	GSA SCHEDULE	GWAC MAC
Schedule	R	G	G
Cost	O	Y	G
Speed to Open Dialog	O	Y	G
Technical Performance	O	Y	G
Vendor DOJ Experience	O	Y	G
Protest	Y	Y	G
Competition	G	G	Y

Figure 5 Acquisition Strategy Comparison

Schedule

This is the risk of completing the LCMS acquisition by the March 2006 target date. As discussed above, Full and Open competition cannot be completed in time.

Cost

This is the risk of cost creep caused by buy-ins. With Full and Open a company may "low-ball" the price to win the contract, only to make it up on the first contract modification. A thorough cost reasonableness assessment will be crucial. GSA and GWAC and MAC contracts all have established and agreed to rates.

Speed to Open Dialog

This is the risk to delivered functionality because the contractor didn't understand DOJ's requirements. This is related to how quickly DOJ can establish an open dialog with potential offerors. To do this, DOJ must know for certain which companies will submit proposals.

Technical Performance

This is the risk of scalability, interoperability, flexibility, and other technical problems. This is related to the teaming chaos during the pre-solicitation and solicitation periods. The most chaos will occur in a Full and Open scenario in which the priming contractors are not known. In the GSA Schedule scenario, the companies are known, except for the late players. In a GWAC or MAC, the definitive list of contractors is known and fixed.



Implementation

This is the risk of problems during implementation caused by unfamiliarity with DOJ's infrastructure, processes (SDLC), culture, and environment. Companies on the ITSS-3 contract have been pre-screened and scored high in these areas.

Protest

This is the risk that the acquisition might be protested. From a 16 May 2005 article in *Federal Times*, "Bid protests have jumped 30 percent in the last four years because of the explosive growth in government procurement and other factors. Protests showed a four-year rise from 1,146 to 1,485 starting in fiscal 2001, according to the Government Accountability Office, which adjudicates protests. "FAR 16.505(a)(9) states "No protest under [Subpart 33.1](#) is authorized in connection with the issuance or proposed issuance of an order under a task-order contract or delivery-order contract, except for a protest on the grounds that the order increases the scope, period, or maximum value of the contract (10 U.S.C. 2304c(d) and 41 U.S.C. 253j(d))."

Competition

This is the risk of excluding potential winning solutions. Some GWAC and MAC contracts do not include the companies that are recognized as leaders in the case management field, and therefore some potential winning solutions may be excluded. The Full and Open scenario offers the least risk in this area, but will cause teaming chaos as discussed above.

Conclusion: A GWAC or MAC contract offers the best contracting approach because ample competition is available among the leading integrators and the award cannot be protested unless contract scope is breached.

2.6 SELECTING THE CONTRACT VEHICLE

If the GWAC or MAC contracting approach is selected, which one should be used? As discussed in Section 1.2.3, three GWAC/MAC contracts offer the best expiration date, number and mix of prime contractors (large and small), ceiling, and processing fees. These are DOJ's ITSS-3, the National Institutes of Health (NIH) CIO-SP2, and GSA's Millennia Lite. Figures 6 and 7 provide side-by-side comparisons of these contracts. The following discussion amplifies the information contained in the tables and explains the advantages and disadvantages of each contract as it relates to the LCMS Program.

Figure 6 lists most of the companies on each contract. It indicates which companies took the effort to respond to the LCMS RFI. It also shows which companies are included in the market research "top 10" and shows companies that are included in the Gartner Group *Magic Quadrant* for CRM case management systems. Figure 7 compares each contract with a set of comparison factors. Both tables, when used together, provide an assessment of each contract.



Companies	RFI	Top 10	Magic Quad	ITSS-3	CIO-SP2	Millennia Lite			
						FA-1	FA-2	FA-3	FA-4
CSC	X	X	X	X	X		X		
Lockheed Martin	X	X		X	X			X	
Northrop Grumman	X	X		X	X				X
SRA International	X			X	X				X
General Dynamics				X	X				
Unisys Corp	X	X		X	X				
Keane Federal	X			X					X
ACCESS Systems				X					
BAE				X					
CGI AMS				X					
IntelliDyne, LLC				X					
Pragmatics				X					
Anteon					X	X	X	X	X
CACI	X				X			X	X
SAIC	X	X			X			X	
Titan					X		X		
Accenture		X	X		X				
BearingPoint		X	X		X				
Booz-Allen	X				X				
Harris					X				
Raytheon	X				X				
SI International, Inc.	X						X		
IBM	X	X	X						
Others	X	X	X	0	30	5	6	5	5

RFI = Responded to RFI. Top 10 = Market Research Top 10. Magic Quad = Gartner Magic Quadrant.

Figure 6 Primes on ITSS-3, CIO-SP2, and Millennia Lite

Factors	ITSS-3	CIO-SP2	Millennia Lite
DOJ Pre-Qualified Companies	11	6	5
DOJ/Industry Dialog	Best	Good	Better
Source Selection Time	Best	Good	Better
Expiration Date	2011	2010	2010
Ceiling	\$1B	\$20B	\$20B
Fee	0.5%	1%	0.075%
Competition	11	45	6 - 10
Market Research Top 10	4	7	4
Gartner Magic Quadrant	1	3	1
Major Task Areas	2	9	4
Sub Task Areas	42	118	None
Labor Categories	32	70	47 - 97
Protest Risk	None	None	None
Labor Rate Comparison	Can't Compare		

Figure 7 Comparison of Factors Relating to ITSS-3, CIO-SP2 and Millennia Lite

2.6.1 ITSS-3

ITSS-3 is a MAC contract with 11 companies eligible for this procurement. Each company has been technically screened and found qualified to support DOJ activities including CMS systems, litigation systems, the DOJ SDLC, and electronic document management. This is a known industry team that can immediately participate in dialog with the government. As with all task order contracts, ITSS-3 cannot be protested unless



contract scope is broached. Expiration date and ceiling should not be issues. On the down side, only four of the market research “top 10” integrators are on the contract.

2.6.2 CIO-SP2

CIO-SP2 is a GWAC contract with 45 companies, large and small, including six that are also on ITSS-3. The CIO-SP2 contract offers the best competition of the three GWAC and MAC vehicles and includes 7 of the market research “top 10” integrators. The FBI selected CIO-SP2 as their contract of choice for the Sentinel (FICMS) case management system. Early dialog is possible, however, a downselect cycle may have to be completed to reduce the number of offerors to a workable number. As with all task order contracts, CIO-SP2 cannot be protested unless contract scope is broached. Expiration date and ceiling should not be issues. The biggest negative issue is that with so many prime contractors, LMCS may have to complete two or three advisory downselect cycles.

2.6.3 Millennia Lite

Millennia Lite is also a GWAC contract with 33 companies divided into 4 functional areas. It includes 5 companies that are also on ITSS-3 and 4 companies from the market research “top 10.” Early dialog is possible. As with all task order contracts, Millennia Lite cannot be protested unless contract scope is broached. Expiration date and ceiling should not be issues. The major negative point is competition must be accomplished within only one functional area. This means that the maximum number of potential offerors is ten, the smallest competitive market of the three.

Conclusion: CIO-SP2 offers the largest competitive market, the most market research “top 10” firms, and a reasonable number of ITSS-3 companies.

2.7 ACQUISITION APPROACH

Several companies and government organizations recommended using performance-base acquisition method for implementing LCMS. This is consistent with industry best practices and federal regulations. Under performance-base acquisition, the government specifies what is to be acquired and not how to build it. Performance-based acquisition allows the government to select from a wide variety of potential solutions instead of picking the contractor that best complies with the instructions in the solicitation. Performance-based acquisition will allow the LCMS program to select from companies offering litigation-related solutions, CRM-related solutions, or custom solutions. Further, performance-based acquisition recognizes where the information is located. The government best knows the problem and industry best knows the solutions.

In performance-based acquisition, a statement of objectives (SOO) is prepared outlining the government’s desired outcome from the acquisition. The SOO is accompanied by a set of performance-based requirements describing LMCS functionality and a set of constraints that explains the limitations, boundaries, and conditions within which the solution must operate. The following examples illustrate each of these three documents:



The SOO will articulate DOJ and LCMS goals and objectives, such as:

- From the DOJ 2004 Strategic Plan, Goal 8.4A – Ensure IT investments are cost effective and meet programmatic and customer needs.
- From the DOJ 2004 Strategic Plan, Goal 8.4B – Ensure IT security.
- From the DOJ 2004 Strategic Plan, Goal 8.4C – Expand electronic access and dissemination of Department information (i.e., information sharing)
- From the DOJ FY 2006 Budget Guidance Directive – “Duplicative, stove-piped systems will give way to a solution that shares information efficiently and seamlessly, within and between components and partners.”
- From the LCMS Charter – Obtain cost savings through reduction of duplicative investments and economies of scale and achieve operational efficiencies through information sharing (e.g., reduce the time to retrieve and validate “non-organic” information and eliminate duplicate data entry).

The SOO will also include transition objectives (e.g., minimize down time, ease of transition) and technical objectives (e.g., operational availability – A_o, data recovery and backup, data integrity).

The Performance Based Requirements document, being prepared in parallel with the market research, will contain the common and unique functional requirements needed by each of the seven litigation divisions.

The Program Constraints will include compliance with the DOJ Enterprise Architecture, the LCMS Business Architecture, the DOJ SDLC process, existing infrastructure, Federal information assurance requirements, cost (budget), and schedule.

In this performance-based acquisition approach, the offerors will propose mission-oriented performance measures and an incentive plan that ensures the contractor is worried about the same issues as the government. Offeror-proposed performance measures and incentive plans will give the government even greater solution diversity from which to choose and assurance that the expected outcomes will be achieved. A great technical solution with inadequate management controls will not produce the desired outcome.

Finally, we recommend LCMS PMO structure the contract with a Firm Fixed Price (FFP) enterprise license (e.g. cost per seat) for the case management tool and a Time and Material (T&M) Award Fee arrangement for the labor.

Due diligence is an integral part of the acquisition approach. It is imperative that open dialog between the LCMS program and industry start as early as possible to ensure potential offerors thoroughly understand the objectives, requirements, and constraints. The notion of open and complete communications between buyer and seller is an industry best practice but a foreign concept in the government, who has traditionally tried to maintain an arms-length relationship with industry.

Conclusion: Performance-based acquisition will maximize the probability that the contractor will meet the goals, objectives, and functionality desired by the DOJ and LCMS program.



2.8 GETTING TO THE FINAL DECISION

Selecting the final contractor will require several interrelated steps. We recommend an advisory downselect process, using consistent source selection criteria, demonstrations, and optional fly-offs. In an advisory downselect process, the government advises the offerors of their chances of being awarded the contract. This is not a formal “cut” in which the dismissed offerors are not permitted to continue. In the advisory downselect, offerors are advised they have little chance of being awarded the contract and they then decide whether they want to continue. It is extremely rare that an offeror will spend more Bid and Proposal money after they have been so advised. The advisory downselection cannot be protested because it is the offerors decision to continue. The first downselection should be based on an assessment of the offerors’ ability to perform (e.g., past experience (what) and past performance (how well)). The final selection should be based on the quality and capabilities of the proposed solution.

The RFI asked respondents to recommend source selection criteria and to provide a list of features to look for in a good case management solution. Table 6 provides a summary and correlation of the results of these two questions:

Table 6: Comparison of Source Selection Criteria and Good CMS Features	
Source Selection Criteria	Good CMS Features
Out-of-the-box functionality	Out-of-the-box functionality Workflow functions Security Reporting functions Web access
Past performance in large CMS implementations	Vendor viability Proven product
Scalability	Scalability
Demonstrations and Fly-off scores	Reliability Availability Fault tolerance
Ease of use	Ease of use
Flexibility to change	Flexibility Configurability Ease of legacy migration
Adaptability to operate with diverse data and functionality	Interoperability Standards compliance
Performance-based acquisition experience	Performance management
Performance measures and incentive plan	Change management Training Increased efficiency Return on Investment Vendor support On line help
DOJ and CMS experience	
Quality certifications (e.g., CMMI, ISO, etc.)	
Cost	

Demonstrations should be a part of the downselect process. For clarity, demonstrations are contractor-funded and contractor-run, using government provided scripts and data, typically in



an artificial environment (e.g., conference room). During a demonstration, the contractor would typically show the government the system functionality, user interface, and ease of change. Duration is measured hours.

Fly-offs should be an optional part of the downselect process. Optional means the provision should be in the solicitation if the government chooses to exercise it. Fly-offs (e.g., US Coast Guard's Deepwater and DOD's F-22 programs) are government-funded with government operators. Simulated data (e.g., artificial names, social security numbers etc. to protect individual privacy) from real databases would be used. Fly-offs would be conducted in the intended environment and free play is encouraged. During a fly-off, government users, themselves, would evaluate system functionality, user interface, and ease of change. Duration is measured in weeks.

Conclusion: Source selection should be a combination written material, past performance reference checks, contractor-run demonstrations, and optional government-run fly-offs.

2.9 LESSONS LEARNED AND BEST PRACTICES

The following lessons learned were provided during one-on-one sessions. We have grouped them into Program Management, Implementation, and Acquisition:

2.9.1 Program Management Lessons Learned

- Must have an experienced, trained program management office team focused full time on major development efforts
- Have a full-time contracting officer assigned to the program. All formal, official direction to the contractor goes through the contracting officer.
- A strong program management structure must ensure that the program has 1) an empowered and centralized CIO function, 2) visibility at the highest levels, and 3) ensure that decisions and reports are not pushed down to lower management levels.
- Strong executive leadership and governance is mandatory for a program to be successful.
- Conduct Business Process Reengineering as part of the project.
- It is difficult to merge disparate programs, systems, processes, databases, etc. But it is almost impossible to "un-merge" what has been merged in the first place. The implication for DOJ is, if we don't get the single definition of "case" right the first time, we may never be able to recover.
- Another key to success is effective change management and end user acceptance and use of the solution. Top-down approach, i.e., mandating solutions, isn't an effective approach.
- No single product can solve the problem from the executive level down to the end user level.

2.9.2 Implementation Lessons Learned

- Establish milestones or "control gates" to pass before moving from one phase of development to the next. Each gate should have predetermined criteria for success, which need to be met before permission is given to proceed to the next phase.



- Establish well-defined, performance-based requirements. Poorly defined requirements result in “requirements volatility” which causes increased cost and lengthened schedule. A good requirement is measurable, can be tested and verified.
- Keep changes to requirements to a minimum. Significant changes impact scope, deliverables, cost, or schedule. Ensure there is a disciplined approach to identifying new requirements and changes such as a Change Management Review Board. Ensure language and intent in changes and all requirements are clearly understood and agreed on by both the government and the contractor.
- Build in enough time for adequate testing, problem resolution, and additional re-testing. Don’t presume that everything will work the first time.
- Establish an enterprise architecture to act as a foundation and guide for the overall development effort.
- Reduce risk by using an incremental approach (sometimes called “spiral development”) to implementation instead of a “Big Bang” approach. Begin with a manageable set of functional capabilities and a few pilots in the field and then expand to additional sites. New releases should be fielded in the same manner to avoid an all-or-nothing dilemma. The field activity then becomes your biggest marketing agent. Let end users help design the screens.
- For large-scale efforts with a broad scope, use COTS applications and modify to meet needs instead of starting from scratch developing custom code for the entire project. This reduces operations and maintenance costs and reliance on a few individuals with unique or specialized system knowledge
- Build the system from the bottom up. Develop field versions first then headquarters versions for better user buy-in. Avoid building just to meet an executive wish list.
- Scalability has multiple dimensions including number of concurrent government users, number of concurrent public users, number of possible users, geographic dispersion of users, number of transactions, size of transactions, infrastructure bandwidth, memory and storage requirements, and others.
- In litigation architectures, the case or the “matter” is at the center of the universe (the main item of focus) with all the other entities around it (e.g. time spent, opening and closing criteria, resolution, etc.). The entities are tracked, but always as part of the case. In customer relationship architecture, the customer is at the center of the universe. Customer preferences, history of customer problems, cases involving the customer, and other entities are all centrally related to the customer. This is a fundamental difference in the types of tools in the marketplace.
- A good way to get user buy-in is to replicate the look and feel of legacy systems, however, this approach may not take full advantage of newer technologies and features. As an alternative, each desktop (or group of desktops) can have unique features specifically tuned for the end user as long as a consistent data model is implemented (e.g. retain multiple definitions of “case” but handle the data in a consistent manner, per a logical case model).
- Understanding the network and the supporting infrastructure and their ability to support applications is crucial. This includes memory, storage, and bandwidth.
- Acquire the services of an experienced Independent Validation and Verification (IV&V) contractor early in the project, as requirements are being developed. An



experienced IV&V contractor will help to define, baseline, and manage requirements to ensure the LCMS will operate as intended in the target environment.

- Acquire the services of an experienced contractor to conduct Security Test and Evaluation (ST&E) to ensure a successful Certification and Accreditation (C&A).

2.9.3 Acquisition Lessons Learned

- The government is generally not a good systems integrator. It is usually better to hire an experienced integrator to be the single point of contact for all work.
- Using an existing GWAC or MAC contract can reduce technical and schedule risk.
 - Two-way discussions between pre-qualified contractors can begin sooner
 - Awards cannot be protested unless contract scope is broached
- To be successful, an IT system needs good hardware and software but also users to enter information into the system. Evaluation criteria should consider ease of use and functionality. If demonstrations or fly-offs are used, then field user evaluations should be considered.
 - Will the users be able to use the system?
 - Will it help them do their job better?
- Use a performance-based contract with mission-oriented performance measures that are proposed by industry and accepted by government.
- Source selection should be a combination written material, past performance reference checks, contractor-run demonstrations using government test scripts, and optional government-run fly-offs using government end users. Source selection should also evaluate life cycle support features such as technical and operational training, and support infrastructure (e.g., self help, help desks, and technical services).

3.0 IMPLICATIONS FOR THE LMCS PROGRAM

In general, market research indicates that DOJ is doing all the right things to ensure a successful LCMS program, including a strong Program Management Team, fully engaged executive leadership, and a Task Force that includes representation from each of the user communities. In addition:

DOJ should acquire a turnkey LMCS implementation through an integrating contractor using a performance-base task order on the CIO-SP2 contract. Source selection should be a combination written material, past performance reference checks, contractor-run demonstrations, and optional government-run fly-offs. A performance-based acquisition strategy that describes what is needed vs. how to build it would allow DOJ to select the best value solution regardless of the three classes of case management solutions described in Section 2.1.1 (i.e., case-centric, relationship-centric, or customized solution).

Implementation should start with a pilot located at a nearby field activity. Implementation of the LMCS capability should grow outward from the pilot using a phased approach and spiral development techniques.

DOJ recognizes that as long as there is a core common data model, a key objective should be to customize user interfaces for each component's unique needs, while satisfying the Department



goals of the program. The approach should be to standard where appropriate, but also enable Component uniqueness.

DOJ recognizes that the government has unique security/privacy requirements that may not come out of the box with COTS case management offerings.

DOJ should acquire the services of an experienced IV&V contractor early in the project to help define and manage requirements and ensure the LCMS will operate as intended in the target environment. In addition, the contractor should be experienced in conducting ST&E that will lead to a successful C&A for LCMS.



APPENDIX A – REQUEST FOR INFORMATION (RFI)



A.1 – RFI Announcement

The following RFI was released through Federal Business Opportunities (FedBizOpps) on April 1, 2005. The due date for responses was April 22, 2005. A total of 55 responses were received.

LITIGATION CASE MANAGEMENT SYSTEM REQUEST FOR INFORMATION

Purpose

This is a Sources Sought announcement for a planned upcoming DOJ solicitation to acquire the Litigation Case Management System (LCMS) described below. This RFI is issued solely for information and planning purposes only and does not constitute a solicitation. All information received in response to this RFI that is marked Proprietary will be handled accordingly. Responses to the RFI will not be returned. Responses to this notice are not offers and cannot be accepted by the Government to form a binding contract. Respondents are solely responsible for all expenses associated with responding to this RFI. Specifically, this RFI is seeking submission of descriptions of IT product/solution and consulting services that provide functionality needed by DOJ to support common litigation case management business needs in the 94 U.S. Attorneys Offices and the six other major DOJ litigating divisions, and share information across organizational boundaries. The emphasis of this RFI is to identify a wide range of possibilities that would support the initial phase of the LCMS functional requirements.

Background

The Department of Justice (DOJ) is in the process of developing an enterprise architecture for the Department using a common solutions approach. Common solutions are business solutions that support two or more organizations, and help the Department achieve interoperable systems that exploit economies of scale. Case Management has been identified as an area of opportunity for common solutions within DOJ and across the federal government.

Under the guidance of the OMB's Lines of Business (LoB) Program to develop business-driven, common solutions across agencies, DOJ leads the Case Management Common Solutions Program. LoB solutions address distinct business improvements to enhance the government's performance and services for citizens. The objective of all LoB efforts is to save taxpayer dollars, reduce administrative burden, and significantly improve service delivery to citizens.

The Case Management Common Solutions Program Vision: Using common solutions and data standards, case management information is easily and appropriately shared within and across federal and other government agencies, and with citizens. Through the Case Management Common Solutions Program, DOJ seeks to develop and implement an enterprise architecture for sharing case-related information within and between DOJ components, partner agencies, and the public. The architecture will effectively capture information once, and make it available to all authorized users.

The current litigation case management environment at DOJ does not support efficient, automated information sharing or streamlined reporting abilities. Far from acting like a unified law firm in support of a central mission, Justice litigation divisions (or "components") are highly decentralized,



and information is stored in numerous disconnected systems. For example, when a case is turned over from a litigating division to a US Attorney's Office (USAO), copies of the paper case files are made and are sent via mail or courier. As case information is received from the division, the USAO creates their own independent case file, and re-enters case data into their own case management system. Once the USAO takes the lead on the case, the originating division no longer has the ability to monitor case status or view updated case information in their own system(s).

Litigation Case Management System

This announcement is focused on litigation case management, in particular the Litigation Case Management System (LCMS). LCMS is the first specific investment to emerge from the Case Management Common Solutions Program.

Litigation case management systems serve three levels of business needs:

At the legal professional level, case management systems allow legal professionals to track and manage information about, and in support of individual cases.

At the supervisory level, case management systems allow supervisors to track and report performance, and balance case workload across their organization.

At the executive level, case management systems provide organizational performance data to support executive level decision-making, including recognizing trends and allocating resources in support of mission and strategic goals.

The initial set of LCMS functionality falls primarily within the supervisory and executive levels of the three levels of case management needs described above. Litigation support tools, used by attorneys to organize and manage individual cases, as well as new document and records management functionality, are not part of the initial scope. Phase 1 of LCMS is expected to include general functional capabilities such as case information management and reporting, caseload and performance reporting, and attorney time reporting. Specific Litigation Case Management Services are described in the next section.

The LCMS program will use a phased, incremental approach to transition over time to the target architecture consisting of a suite of configurable and extensible IT solutions built upon a common foundation. LCMS will be required to provide an interface or integration with certain current applications and databases for other functionality. Examples of such functions are: debt collection, records, and document management, electronic case filing, and other capabilities to be determined.

The primary customers for this investment are the seven DOJ litigating component organizations: the Executive Office for US Attorneys (representing the 94 US Attorneys' Offices), the Antitrust Division, the Criminal Division, the Civil Division, the Civil Rights Division, the Environment and Natural Resources Division, and the Tax Division.

Litigation Case Management Services

The essential IT services currently planned for inclusion in LCMS Phase 1 include the following:



- Forms Management - These services facilitate the creation, modification, and usage of electronic forms used to capture case-related information in a structured format. These services, limited to case management support needs, assist with the management of electronic forms containing blank fields that users can fill in with data. An important aspect of automated data exchanges, the use of electronic forms allows case-related information to be captured in a standard format for database entry.
- Reports Generation - Many kinds of reports need to be generated from a case file, including periodic case status reports, which can be shared with supervisors, managers, and clients. Reports generation services support the organization of data into useful information. Reports need to be generated using either a pre-defined format or a user-defined (ad hoc) format. Reports generation tools should provide an intuitive user-interface and a capability to access a variety of data sources. Reports generation also supports multiple output formats, as well as the conversion of data into graphical form, to include presentation of information in the form of diagrams, tables, charts, and graphs.
- Search and Query - These services include ad hoc searches, to allow users to browse through the internal database of case files to find all the records entered by a certain attorney, or cases that were decided in a particular jurisdiction, or records that contain a particular term. Database search functionality also allows the retrieval of case-related information within the bounds of user-selected parameters such as a subject category, date range, etc. Also included is the ability to search against information within and across cases searching on multiple keys.
- Security and Privacy - This group of LCM support services defines capabilities needed to support effective measures to protect and safeguard information and systems from inappropriate or unauthorized use, alteration, loss, or destruction. Safeguards must also be implemented to assure that case management data is collected, stored, and managed in ways that assure the continuous protection of personal information within the constraints of the Privacy Act and other applicable policy. Reliable and secure communications links must also offer adequate protection against unauthorized access to case information and case files. Two types of IT services are included in this group:
 - Security Management and Monitoring - These services are used to ensure continuous observation of security rules and regulations; ensure appropriate level of protection for case related information and data; ensure data is protected against unauthorized modification, use, destruction, or disclosure; and assure confidentiality, integrity, and availability.
 - Privacy Assurance - These services assure adherence to rules and regulations concerning the safeguarding of sensitive information covered by the Privacy Act and other applicable policy.
- Case File Data Management - Case File data management services determine what data elements should be captured and how data should be used and stored. These services facilitate the storage, processing, exchange, and general administration of case-related data in the case file. The case file is utilized to provide management oversight to litigation or administrative activity, e.g. management of case-related resources, assignments, authorizations, and status changes, including metrics and accomplishments. The case metadata includes the access controls applied to the case, the individual or



organizational unit assigned primary ownership of the case, the individuals' or organizational unit's assigned co-ownership of the case, the organizational unit directly managing the case, and the case classification under which the case file is categorized. The service will maintain the history of all case metadata. Data access controls are based on statutory and other component-specific policy constraints.

- Automated Data Exchanges - Support for automated data exchanges between case management activities is needed to facilitate the timely exchange of case related information with other entities. During Phase 1, this service will support the exchange of case information with DOJ's litigating divisions. Long-term, this service will be expanded to include information exchanges with investigative and other partner agencies such as the IRS, the EPA, and the U.S Courts.
- Data Aggregation/Synthesis - Data aggregation and synthesis support services address the need to reconcile data from various sources to "normalize" the perspective of summary views or reports. These services support the aggregation of data collected from multiple sources or at different time intervals, typically to support roll-up reporting needs at the Component or Department level. Information can be summarized in a manner that reconciles inconsistent data points to create a synthesized view of aggregated data that accurately projects an enterprise view of the current status as well as performance progress. By making data aggregation and synthesis services part of the LCM solution, better decision-support services can be provided. Managers will still have access to details behind the aggregated results, for verification and validation purposes. Synthesized views of case information will be based upon unified business rules that can eliminate the "double counting" of reported cases and also help to reconcile conflicting reports that result from local variations in business rule applications.
- Client Management - This group of LCM services considers the need for IT services to support the management of day-to-day client relationships. Clients include partner agencies of DOJ litigation components such as the Federal Trade Commission (FTC), the Environmental Protection Agency (EPA), and the Internal Revenue Service (IRS). Clients also include federal investigative agencies (such as ATF, DEA, FBI, and certain divisions of DHS). Victims of crime are also treated as LCM clients, for witness notification and/or witness protection purposes. These are the types of IT services included in this group:
- Client Relationship Management - These services provide capabilities needed to plan, schedule and control interaction between a client and DOJ attorneys both before and after a service is provided. DOJ must maintain contact information with the customer points of contact starting with basic information such as addresses, telephone numbers, and e-mail addresses.
- Calendaring and Event Scheduling - These services include the need to maintain a calendar and to schedule entries for upcoming court appearances, filing deadlines, meetings, and hearings.
- Alerts and Notifications - These services relate to capabilities needed to allow someone to be contacted in response to ad hoc matters or events of interest. For example, when hearings and docket-driven events are about to occur, notifications can be sent to alert various external points-of-contact as well as internal members of a litigation team.



- Performance Measurement - These services are concerned with the development, refinement, and usage of performance metrics. These services support the planning, scheduling, capturing, and validation of metrics used for measuring performance effectiveness, in the context of Component's mission goals and objectives.
- Business Rules Management - Business rules are reflected in locally determined practices or procedures that govern the way business activities are routinely performed. For example, the business rule governing the closing of a case file in one litigating component might be "when the courts have rendered a final judgment"; in another component, the same rule may be "when all residual activities (such as debt collection) have been completed." Business rules management services are applied at both the Department and Component levels to normalize enterprise reporting on the performance of business activities across organizations, and to allow for controlled flexibility in local applications of common business rules. These services support the ongoing refinement and consistent application of case management business rules by automating the process of maintaining records of the applicable rules, which can be changed by (authorized) users when circumstances require modifications to be made to existing business rules.
- Resource Management - This group of LCM services covers the collection of capabilities needed to support the management of resources and assets. The following types of services are encompassed by this group:
 - Workforce Management - These services are used by supervisors and managers faced with the challenge of supplying scarce resources to satisfy a fluctuating demand for those resources. These services support the planning and supervision of a Component's personnel, with an emphasis on the allocation of resources to satisfy constant changes in caseload demands. Tools are needed to assist with the monitoring and assessment of current caseloads as well as the projections of future caseloads.
 - Conflicts Checking - Automated support is needed to enable managers to access knowledge management support for conflicts checking, which provides powerful search capability for probing case information stored in the case-file database, to detect potential conflicts of interests with respect to intended case-related work assignments.
 - Time Reporting - These services support the preparation, submission, approval and adjustment of hours worked by a Government employee and tracking that time to specific case, matters, or programs. To ensure continued reliability of online time reporting processes, tools are needed to enable the efficient tracking and reporting employee work hours.

Key Considerations

Key considerations that will influence the LCMS Phase 1 acquisition include the following:

- Scalability and Flexibility: The solution must be scaleable and tailorable across a broad spectrum of organizational structures, geographically dispersed locations, and diverse organizational requirements. DOJ is an organization with over 10,000 users in multiple litigating divisions, and 94 U.S. Attorneys' offices located across the 50 United States and Territories.
- Non-exclusivity: The solution must preserve benefits of competition. Furthermore, since virtually all organizations will need to apply an incremental deployment strategy to



successfully transition their environments, robust interoperability capabilities designed for open systems and industry standard platforms are required.

- Interfaces: The solution must interface with e-government initiatives and program support systems including, but not limited to document management, records management, and debt collection.
- Section 508 Requirements: All electronic and information technology procured must meet the applicable accessibility standards at 36 CFR 1194, unless an agency exception to this requirement exists. 36 CFR 1194 implements Section 508 of the Rehabilitation Act of 1973, as amended, and is viewable at <http://www.accessboard.gov/sec508/508standards.htm>.
- Security: The solution must comply with the Federal Information Security Management Act (FISMA).
- Sharing of Information: Consistent with recent Executive Orders, the solution shall be extensible to support common standards for information sharing, such as the Global Justice XML Data Model and the National Information Exchange Model.

Request for Information

RFI Questionnaire

Interested companies are requested to answer the following questions within the page limits indicated:

Questions related to your company.

- 1) Briefly tell us about your company and case management product and service lines and those of your partners and value-added resellers
- 2) Identify the principal customers that currently use your products and services. For federal/state/local government customers, provide primary points-of-contact.
- 3) What is the largest or most complex implementation you have completed?
- 4) Are your solutions operational and proven?
- 5) How do you approach and solve scalability issues?
- 6) How did you determine or measure customer return on investment and performance improvements?
- 7) Describe how you have integrated stand alone or disparate case management systems into an enterprise capability that allowed sharing of information.
- 8) What were the toughest problems you have encountered and how did you overcome them to deliver a successful case management capability?
- 9) Describe your experience in implementing case management systems in large organizations with multiple independent business units and geographically dispersed offices.
- 10) Describe your approach to data conversion and data quality.
- 11) How do your solutions allow flexibility to accommodate changing business requirements?



- 12) Describe your approach for interfacing/integrating with other applications (e.g. Document Management, Records Management, Debt Collection, etc.)
- 13) Describe how your solution meets government security and privacy requirements.

Questions related to the case management marketplace.

- 1) Who are the major case management vendors and what integrators have successfully completed large-scale implementations of these products?
- 2) Who are your main competitors?
- 3) What information assurance capabilities are available (e.g., Public Key Infrastructure, access control, roles and permissions, Continuity of Operations, etc.)?
- 4) Where do you see the case management marketplace going in the future?

Questions related to the DOJ LCMS program.

- 1) If you were the Department of Justice, how would you approach the challenges as presented in this RFI?
- 2) What are the top five things we should look for in a good case management capability (technical and operational)?
- 3) What are the top five concerns we should look out for (program management, cost, technical, and operational risks)?
- 4) What are the advantages and disadvantages of contracting directly with a case management vendor vs. contracting through a third party integrating contractor?
- 5) How would you approach a solution to our scalability problem (10-15,000 users in more than 100 sites worldwide)?
- 6) Do we need a litigation-specific solution, or a more general solution that can be configured to litigation and individual DOJ component needs? What tailoring mechanisms are necessary and effective?
- 7) What evaluation factors would you use for source selection?
- 8) What performance measures would you use for implementation and O&M?
- 9) What kind of incentive plan would you recommend we implement?

Instructions to Respondents

Responses to the RFI must be electronically submitted to the Department of Justice in care of Pragmatics, Inc. no later than 12:00 PM EDT April 22, 2005. Email soft-copy of all response files to LCMSRFI@pragmatics.com. The Pragmatics point of contact is:

Thomas F. Thoma
Pragmatics, Inc.
7926 Jones Branch Dr. Suite 711
McLean, VA 22102
Ph: (703) 761-4033 ext 113
Fax: (703) 761-4089

Please respond in a Question/Answer format for each question in the RFI Questionnaire (pages 7 & 8). If you choose not to respond to a question, indicate "no response" and identify the rationale. Responses must be submitted in Microsoft Word 2000 or later. Responses shall be in



contractor format printable on plain bond paper 8 1/2 x 11 inches with one-inch margins with print size no smaller than 12 point Times New Roman for narrative and 10 point for tables and graphics. The total file shall not exceed 20 pages. Please answer the questions in the order presented.

Original Point of Contact

Gregory Newsom, Contracting Officer, Phone (202) 307-1962, Fax (202) 307-1933, Email gregory.l.newsom@usdoj.gov. The best way to reach the POC is via email and not via phone.

Place of Performance

Address: Washington, DC and other US States and Territories

Postal Code: 20530

Country: USA



APPENDIX B – ONE-ON-ONE SESSIONS

One-on-One sessions were conducted with the following organizations:

Case Management Software Vendors

- Siebel
- RealLegal
- Mitratech (Fujitsu and Huron Consulting)
- Thomson Elite (LawManager)

Integrators

- CSC (ITSS-3)
- SRA (ITSS-3)
- CACI (Significant DOJ experience)

Government Users

- Merit Systems Protection Board (LawManager)
- DOJ OIG (LawManager)
- Social Security Administration (Custom solution using MetaStorm)
- Immigration and Customs Enforcement (LawManager)
- New York State Office of the Attorney General (Custom Oracle solution)
- Library of Congress Copyright Office (Siebel solution)
- Law Firms
- Fulbright & Jaworski
- Baker & McKenzie



B.1 – Copy of the Questions Asked

The following questions were asked during each one on one session:

- Organization-specific
 - Briefly tell us about your organization.
 - What case management tools do you use?
 - Why did you pick this tool(s) over others?
 - What are your objectives for your case management system?
 - How large was your implementation?
 - How did you solve scalability issues (if any)?
 - How did you determine or measure Return on Investment?
 - Describe how you have integrated stand alone or disparate case management systems into an enterprise capability that allowed sharing of information?
 - What were the toughest problems you encountered and how did you overcome them?
- Case Management Marketplace
 - Can one case management system fit many diverse needs?
 - What information assurance capabilities have you implemented (e.g., Public Key Infrastructure, access control, roles and permissions, COOP, etc.)?
 - Where do you see the case management marketplace going in the future?
- DOJ LCMS Specific
 - If you were the Department of Justice, how would you approach this problem?
 - What are the top three things we should look for in a good case management capability (technical and operational)?
 - What are the top three things we should look out for (technical and operational)?
 - What are the advantages and disadvantages of contracting directly with a case management vendor vs contracting through a third party integrating contractor?
 - Do we need a litigation-specific engine, or can a generic engine with the right business rules suffice?
 - What evaluation factors would you use for source selection?
 - What performance measures would you use for implementation and O&M?
 - What kind of incentive plan would you recommend we implement?



APPENDIX C - SUMMARY OF GWAC AND MAC CONTRACTS

Vendors (104)	RFI Resp	Total # of Contracts	ITSS-3	Share in Savings BPA	CIO -SP2	Answer	Millenia	ENCORE	NexGen Small Business	NexGen Large Business	Millenium Solutions Center	ITES-EMS	Millennia Lite	I Assure	ITOP II	COMMITTS NexGen
			Justice	GSA	HHS - NIH	GSA	GSA	DISA	DISA	DISA	DOT	Army	GSA	DISA	GSA	DOC
			03/30/11	09/30/05	12/01/10	12/31/08	10/01/05	03/12/09	04/22/08	04/22/08	01/01/05	10/21/06	12/01/10	07/31/07	01/01/06	12/01/12
Northrop Grumman	1	10	1		1	1	1	1		1		1	1	1	1	
CSC	1	9	1	1	1	1	1	1					1	1	1	
SAIC	1	9		1	1	1	1			1	1		1	1	1	
Lockheed Martin	1	7	1		1		1	1				1	1		1	
SRA International	1	7	1		1		1			1			1	1	1	
Anteon		3			1	1							1			
Pragmatics		5	1					1	1					1		1
Unisys Corp	1	5	1		1		1	1							1	
CACI	1	3		1	1								1			
FC Business Systems		3			1								1			1
ITS Corp		4			1	1							1			1
BAE		3	1											1	1	
Booz-Allen	1	3			1	1	1									
EDS	1	3						1						1	1	
Nortel		3			1				1							1
QSS		3										1	1			1
TranTech, Inc		3			1			1								1
Abacus		2											1			1
Accenture		2		1	1											
ACS Defense		2			1									1		
Adv Tech Systems		2											1			1
Allied Technology Group		2											1			1
Alphainsight		2			1											1
Analytical Services Inc		2						1								1
Artel		2							1					1		
Daston		2			1											1
FGM	1	2							1							1
General Dynamics		2	1		1											
IBM	1	2		1								1				
InfoPro		2			1											1
Keane Federal	1	2	1										1			



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			Justice	GSA	HHS - NIH	GSA	GSA	DISA	DISA	DISA	DOT	Army	GSA	DISA	GSA	DOC
			03/30/11	09/30/05	12/01/10	12/31/08	10/01/05	03/12/09	04/22/08	04/22/08	01/01/05	10/21/06	12/01/10	07/31/07	01/01/06	12/01/12
Mgmt Sys Designers		2			1											1
Multimax		2			1											1
NCI		2										1				1
Proj Performance Corp.		2			1											1
Raytheon	1	2			1		1									
RSIS		2			1											1
SI International, Inc.	1	2											1			1
STG		2			1											1
System Plus		2			1											1
Titan		2			1								1			
ACCESS Systems		1	1													
AmDex		1			1											
Am Systems Corp		1											1			
AT&T Govt Solutions		1											1			
A-Tek		1			1											
BearingPoint		1			1											
BTG		1											1			
CALIBRE Systems, Inc.		1											1			
Catapult Technology		1														1
CGI AMS		1	1													
Client Network Services		1														1
CNSI		1			1											
Computech		1			1											
Computer Tech Assoc		1											1			
Creative IT, Inc.		1			1											
Data Networks Corp.		1											1			
Digicon		1			1											
Digital Management		1														1
EER		1				1										
Electro Consulting Scvs		1														1
e-Management Consult		1														1
Femme Comp Inc.		1							1							
Fuentez Sys Concepts		1			1											
G&B Systems		1														1
Global Science & Tech		1														1
Harris		1			1											



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I. M. Systems Group		1														1
INDUS		1														1
Info.Systems Support		1				1										
Ingenium		1			1											
Integrated Comm Soln		1														1
IntelliDyne, LLC		1	1													
InterImage		1														1
Johnston McLamb		1														1
Karta technology		1														1
L-3 Communications		1											1			
Lloyd Lamont		1														1
Maden tech Consulting		1														1
Madison Research Corp		1											1			
M-Cubed		1														1
Morgan Research		1														1
NetCentrics		1														1
New Technology Mgmt		1											1			
Pailen-Johnson		1									1					
People Planning Info		1			1											
Predictive Inc		1									1					
PSI International		1														1
Quality Technology		1														1
REI Systems		1														1
RGII		1			1											
Rose International		1											1			
Science Sys & Apps		1														1
Sentel Corp		1											1			
SGT		1														1
SI Int Engr		1											1			
Systems Engr & Security		1														1
Sytel		1			1											
Sytex, Inc.		1											1			
The Centech Group		1														1
TMI Consulting		1									1					
Universal HiTech Dev		1			1											
Veridyn		1														1
Viatech		1														1
Zen Technology		1														1